

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:19-cr-04-180

UNITED STATES OF AMERICA)

vs.)

RAUL AYALA, JR.)

INDICTMENT

FILED IN OPEN COURT
ON 1-9-19 MLG
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

The Grand Jury charges that:

COUNT ONE

(Manufacture of Child Pornography)

Beginning on or about June 16, 2017 and continuing through on or about September 30, 2017, in the Eastern District of North Carolina, the defendant, RAUL AYALA, JR., did knowingly employ, use, persuade, induce, entice, and coerce a minor, Minor-1, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct. This visual depiction was produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce; all in violation of Title 18, United States Code, Sections 2251(a) and (e).

COUNT TWO

(Possession of Child Pornography)

On or about May 31, 2018, in the Eastern District of North Carolina, RAUL AYALA, JR., the defendant herein, did knowingly possess one or more matters, that is, computer hard drives and computer media containing digital and computer

images and videos, the production of which involved the use of one or more prepubescent minor or a minor who had not attained 12 years of age, engaging in sexually explicit conduct, and which images visually depicted such conduct. The images and videos had been mailed, shipped and transported in interstate and foreign commerce and by use of means and facilities of interstate commerce, i.e., the Internet, and were produced using materials which had been mailed, shipped, or transported in interstate and foreign commerce, by any means including by computer, all in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

[Remainder of page intentionally left blank.]

FORFEITURE NOTICE

The named defendant is hereby given notice that all of the defendant's interest in all property specified herein is subject to forfeiture.

Upon conviction of one or more of the offenses set forth in Counts One through Two above, RAUL AYALA, JR., the defendant herein, shall forfeit to the United State, pursuant to Title 18, United States Code, 2253(a):

(1) any visual depiction or book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of the offense(s);

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense(s); and

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of said offense(s) or any property traceable to such property.

The forfeitable property includes, but is not limited to:

1. HGST T57SAF-100 (S/N:6P070RXE), 1TB Hard Disk Drive;
2. Western Digital WD3200 (S/N:WX61A4324011), 320GB Hard Disk Drive;
3. Western Digital Scorpio Black (S/N:WXKIA5054372), 250GB Hard Disk Drive;
4. Seagate Barracuda(S/N:5JV8EQMS), 80GB Hard Disk Drive;
5. Western Digital WD10EZEX (S/N:WCC6Y4ZVSOUK), 1TB Hard Disk Drive;
6. Seagate Momentous (S/N:5NH0ZFP1), 80GB Hard Disk Drive;
7. Western Digital WD3200BEKX (S/N:WXB1A344892), 320GB Hard Disk Drive;
8. Dell Inspiron 15 Laptop (S/N:3RG9712) with Western Digital WD10JPVX (S/N:WX41A64DKH6S), 1TB Hard Disk Drive;

If any of the above-described forfeitable property, as a result of any act or omission of the defendant --

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 853(p), through 18 U.S.C. Sections 2253 or 1467, whichever may be applicable, to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A TRUE BILL

Foreperson

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

Date: 8 JANUARY 2019

ROBERT J. HIGDON, JR.
United States Attorney



BY: MELISSA BELLE KESSLER
Assistant United States Attorney